



**ARIZONA BOARD OF OCCUPATIONAL THERAPY EXAMINERS**

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**Regular Session Minutes**

**December 4, 2009**

**Board Members Present:** Rebecca Grabski, OTA Vice-Chair  
Laura Beckman, OTR Member  
Christine Rosenberg, OTR Member  
John Tutelman, Public Representative  
Deborah Devine, Public Representative

**Staff Present:** Wendy H. Hammon Executive Director  
Vicki Egurrola, Administrative Assistant

**Legal Representative:** Montgomery Lee, Assistant Attorney General

**Call to Order**

The regularly scheduled meeting of the Arizona State Board of Occupational Therapy Examiners was called to order at 1:32 p.m. Rebecca Grabski, Vice Chair presiding.

**Roll Call**

All Board members were present with the exception of Deborah Devine. Ms. Devine joined the meeting at 1:45 p.m.

**Approval of Minutes**

**Regular Session Minutes of October 9, 2009**

John Tutelman moved to approve the minutes as amended. Laura Beckman seconded the motion and it passed 4-0.

Regular Session Minutes of November 13, 2009

John Tutelman moved to approve the minutes as amended. Rebecca Grabski seconded the motion and it passed 4-0.

**Declaration of Conflicts**

No declarations were made.

**Review Meeting Schedule**

The Board confirmed the next meeting dates as January 8, 2010. The meeting for February 2010 was changed to February 5, 2010.

**a. Initial Review of Complaints**

**1. Janet Hicks , 09-OT-2016**

After reviewing the materials presented and considerable discussion, Deborah Devine moved to dismiss the complaint filed against Ms. Hicks. Christine Rosenberg seconded the motion and it passed 5-0.

**b. Complaint Action Status Report**

**Matthew Strang, 09-OT-4134** – There is nothing new to report on Mr. Strang.

**Shannon Brown, 08-011-C** – There is no new activity on this case.

**Susan Nesbit, 09-OT-4090** - Staff reminded the Board this matter was set for a formal hearing in January. However, due to the nature of this action it was suggested a separate meeting be held for this purpose. The Board agreed and a separate meeting date will be determined in late January once contacts are made to the parties impacted by the hearing. The Board did review the notice of hearing and complaint prepared for this matter and provided no changes to the document.

**Nicole Kell, 09-OT-4332** – This complaint is scheduled for the January meeting.

**Substantive Review, Discussion, and Vote Re: Applications for Licenses as Follows:**

**a. Initial Application**

John Tutelman moved to approve the initial applications. Deborah Devine seconded the motion and it passed 5-0.

Henry Anchando	Adam DeWenter	Jessica Estep	Shirley Goss
Stephanie Hilger	Beth Johnson	Sylvia Prettyjohns	Angela Propst
Patricia Robinson	Lynn Soper		

**b. Renewal of Licenses**

John Tutelman moved to approve the renewal licenses. Deborah Devine seconded the motion and it passed 5-0.

Cynthia Anthony	Mary Antonowicz	Kelly Barnhart	Vicki Belser
Diane Bowlus	Janet Chmela	Suzanna Christina	John Davis

Anna Domina	Steven Frey	Kordell Howell	Christine Marinello
Nancy McDonough-Hall	Pamela Mcnamara	Viviana Montalvan	Shivali Rane
Adrienne Scott	Sarah Starr	Monica Suarez	Jeffrey Sydlowski
Michelle Taus	Carrie Ward	Erika Waters	Shawn Williams
Fredalin Zeller			

The Board reviewed information regarding Anna Domina's practicing without a license. Having granted her renewal application the Board discussed the facts relating to the late submission of her renewal. John Tutelman moved to offer Ms. Domina a consent agreement. Deborah Devine seconded the motion and it passed 5-0.

At this point the Board Chair took an item out of order for the purpose of presenting Geri DeWaard with a plaque acknowledging her contributions to the Board as a member and as the Chair.

### **c. Limited Permits**

Deborah Devine moved to approve the limited permit applications. Laura Beckman seconded the motion and it passed 5-0.

Alex Pereda	Angela Pierce	Kalli Schmuecker	
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## **8. Technical Question – Pat Mezey**

Ms. Mezey was present and appeared before the Board. Ms. Mezey was seeking clarification as to who is able to train unlicensed individuals. The Board provided her with A.R.S. § 32-3401.9. "Supervision", R4-43-401, and R4-43-402 all of which provide information on supervision and training. Ms. Mezey then related a situation at work involving a COTA she normally supervises. Ms. Mezey was out on FLMA and another OT stepped in and had the COTA give information to a teacher and teacher's aide regarding a student. The Board declined to comment on the situation since a complaint had not been filed and therefore there was no issue before the Board.

## **Review, discussion and Possible Action on Administrative Matters**

### **a. Revenue and expenditure report**

The Board reviewed and discussed the revenue and expenditure report. It was noted none of the move related expenses are showing as of this report.

### **b. Administrative Project Status Report**

The Board reviewed and discussed the Administrative Status Report

**Board Members** – There is no new information regarding the replacement of board members.

**Policies and Procedures** – The staff reported they are continuing to identify potential items for development of policies and procedures.

**Delegation of Authority** – The staff is still working on this item.

**c. Agency Operations and Staffing**

**i. Web bios** – The Board asked what was expected for bio information. Staff stated they should include education, affiliations and any other information demonstrating to the public their high qualifications to sit on the Board.

**ii. Delegation of authority to Executive Director – subpoenas** - There is an item pending before the Board that may warrant the issuing of one or more subpoenas. The Board has not delegated the authority to the Executive Director to sign and issue these types of documents. A discussion followed of the pros and cons of such an action with the Board asking if this could be done on a case by case basis. Legal counsel confirmed it could be done in such a manner. John Tutelman then moved to convey to the Executive Director the authority to sign subpoena(s) as requested by the attorney representing the board and the respondent in the case of Susan Nesbit. Deborah Devine seconded the motion and it passed 5-0.

**iii. Executive Director Position** – At 3:23 p.m. Rebecca Grabski moved to go into executive session without staff present. Deborah Devine seconded the motion and it passed 5-0.

At 3:41 p.m. the public session resumed with a continuance of the agenda item, Executive Director Position. After some additional discussion John Tutelman moved to offer the position of Executive Director on a permanent basis at the current rate of pay the Wendy Hammon who is currently occupying the position. The motion was seconded by Deborah Devine and passed with a vote of 4-1 with Rebecca Grabski casting the dissenting vote. The dissenting vote related to the level of compensation not the qualifications of the candidate.

**Agenda items for next month's meeting – if any.**

There were no items provided at this time for next month's agenda.

**Call to the Public**

A call for public comment was issued by the Board with no response.

**Adjournment**

The meeting adjourned at 3:57 p.m., there being no further business before the Board.

Respectfully submitted,

December 4, 2009  
Regular Session Minutes

Wendy H. Hammon  
Executive Director